

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL J. GRAZIANO,

Plaintiff,

-against-

FIRST UNUM LIFE INSURANCE COMPANY,

Defendant.

Index No. 1:21-cv-2708

JUDGMENT

WHEREAS, the above-captioned action having come before the Honorable Paul A. Crotty for a bench trial on a stipulated record, and the Court, on July 13, 2023, having rendered its Opinion & Order (ECF 49) determining that “Graziano is disabled within the meaning of the LTD Plan and LIP Waiver Plan from January 3, 2020, through the close of the administrative record on November 10, 2020.” “The Court awards judgment in Graziano’s favor for LTD Plan and LIP Waiver benefits from January 3, 2020, through November 10, 2020, and remands the remainder of his claims to Unum to determine whether Graziano qualifies for benefits under both or either plan since November 10, 2020.” (*Id.*, at p. 40); it is hereby

ORDERED, ADJUDGED, AND DECREED that for the reasons stated in the Court’s Order, judgment is hereby entered in favor of the Plaintiff in the amount of the monthly LTD and LIP benefits owed for the period from January 3, 2020 through November 10, 2020; it is further

ORDERED, ADJUDGED, AND DECREED, that Graziano’s Proof of Claim for disability benefits beyond November 10, 2020, will be due to Defendant on or before January 31, 2024; it is further

ORDERED, ADJUDGED, AND DECREED, that the Plaintiff may be entitled to attorneys’ fees, costs, and interest pursuant to 29 U.S.C. § 1132(g)(1). Plaintiff will file a motion for

attorneys' fees, costs, and interest pursuant to 29 U.S.C. § 1132(g)(1) within fourteen (14) days of this Judgment.

Dated: New York, New York

August 15, 2023

Seventeenth Street

SO ORDERED



HONORABLE PAUL A. CROTTY
United States District Judge